

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MATCONUSA LP,

Plaintiff,

v.

HOUSTON CASUALTY COMPANY,

Defendant.

Case No. C19-1952 JLR-TLF

ORDER GRANTING PLAINTIFF'S  
MOTION FOR LEAVE TO AMEND

This matter is before the Court on plaintiff's motion for leave to amend and proposed amended complaint. Dkt. 27. The motion is unopposed.

As a matter of course, a party may amend its pleading once within 21 days of serving it or, if it is a pleading that requires a response, within 21 days after service of the response. Fed. R. Civ. Proc. 15(a)(1). In all other cases, a party may amend its pleading only with the opposing party's written consent or by leave of the court. Fed. R. Civ. Proc. 15(a)(2). The court should freely give leave when justice so requires. *Id.* The Court must consider five factors when determining the propriety for leave to amend: Bad faith, undue delay, prejudice to the opposing party, futility of amendment, and whether the plaintiff has previously amended the complaint. *Desertrain v. City of Los Angeles*, 754 F.3d 1147, 1154 (9th Cir. 2014).

Here, plaintiff requests leave to file its second amended complaint in order to add two more defendants, Marsh USA Inc. and Crum & Forster Specialty Insurance Company. On June 2, 2020, the Court granted a joint motion and order extending the

1 deadline to join additional parties in this action through and including June 28, 2020.  
2 Dkt. 26. Plaintiff has met this deadline for joining additional parties. Dkt. 27. Further,  
3 plaintiff indicates that the amended complaint does not add any new claims against  
4 defendant nor does it materially alter previously asserted claims. Dkt. 27. There is no  
5 indication that the amended complaint is filed in bad faith, would cause undue delay or  
6 otherwise prejudice the named defendants.

7 Therefore, it is ORDERED:

8 (1) Plaintiff's motion for leave to amend (Dkt. 27) is **GRANTED** under Fed. R.

9 Civ. P. 15(a)(2).

10 (2) Counsel for plaintiff is directed to file plaintiff's second amended complaint  
11 within seven days of this order.

12 (3) The Clerk shall send a copy of this Order to the parties.

13 Dated this 20th day of July, 2020.

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17 Theresa L. Fricke  
18 United States Magistrate Judge  
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